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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,646	02/05/2001	Susumu Takahashi	202447US2	8312

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EXAMINER	
SINGH, RACHNA	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/775,646	Applicant(s) TAKAHASHI ET AL.	
	Examiner Rachna Singh	Art Unit 2176	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

Doug Hutton
Primary Examiner
Tech Center 2100

Continuation of 11. does NOT place the application in condition for allowance because:

On page 4, Applicant argues Tamaki is not directed to a system of creating and/or editing structured parts list information and instead is directed to a manufacturing system that can ensure a list of required parts is adequately stocked. Applicant argues that Tamaki is different than the current invention because he does not teach a listing of components is provided and based on input retrieval information. Examiner respectfully disagrees. As indicated in previous office actions, Tamaki discloses an adjusting means in which superfluous or deficient parts are identified from the parts stock information and parts information and the production planning system including the original parts list is modified accordingly. If there are deficient parts or superfluous parts, the parts list information is adjusted to eliminate the deficient parts as well as superfluous parts. This is equivalent to modifying a structured parts list based on the parts information list. See pages 16-18. Furthermore, the parts acquisition system must receive an indication for retrieval in order to supply the parts list information to the production system. The list of required parts are parts of product in the production planning system (i.e. component). Thus the listed products (i.e. components) in the production planning system include a plurality of parts. Tamaki discloses parts list information is generated by the material resource plan unit for calculating the required amount of material resources based on this list. The production system receives production-planning information including parts list information from the parts acquisition system. See page 6. The updated structural parts list is provided to the production planning system where it is stored in a data storage unit. See page 18, claims 1-4.

Applicant argues Tamaki does not disclose creating an additional parts information list based on information in the parts list storages section and parts stock storage section. Examiner disagrees. Applicant's claim recites "create updated structured parts list information based on the parts information list created by the parts information list". Tamaki discloses parts list information is generated by the material resource plan unit for calculating the required amount of material resources based on this list. The production system receives production-planning information including parts list information from the parts acquisition system. See page 6. The updated structural parts list is provided to the production planning system where it is stored in a data storage unit. See page 18, claims 1-4.

Applicant argues Tamaki does not teach that the updated parts list is created based on (1) the structured parts list information stored in the structured parts list information storage based on the input retrieval information and retrieving (2) the parts information on respective parts corresponding to the retrieved structured parts list information; Tamaki teaches "a data storage unit for storing production planning information, parts list information, parts stock information . . .a material resource plan unit for calculating the required amount of material resources based on the production planning information and the parts list information stored in the data storage unit. . .a superfluous parts adjusting unit. . ." In order for the production planning system to correctly assess what parts or resources are needed for production, it must make some indication of a production plan (i.e. based on input retrieval). Furthermore the parts information on respective parts is dependent on the parts list information/stock information used to plan the production.

Applicant argues on page 6, a structured parts list information storage stores information directed to components including a plurality of parts which is not taught by Tamaki. Applicant further argues Tamaki teaches a parts list storage section and not components including a plurality of parts. Tamaki discloses parts list information is generated by the material resource plan unit for calculating the required amount of material resources based on this list. The production system receives production-planning information including parts list information from the parts acquisition system. Tamaki discloses parts list information providing a list of required parts for a product. See abstract and page 6, paragraphs [0117]-[0118]. Tamaki discloses an adjusting means in which superfluous or deficient parts are identified from the parts stock information and parts information and the production planning system including the original parts list is modified accordingly. If there are deficient parts or superfluous parts, the parts list information is adjusted to eliminate the deficient parts as well as superfluous parts. The list of required parts are parts of product in the production planning system (i.e. component). Thus the listed products (i.e. components) in the production planning system include a plurality of parts.

On page 9, Applicant argues Tamaki does not teach that the adjusting unit adjusts information in the parts list storage section and asks for clarification on where this is taught. Tamaki discloses parts list information is generated by the material resource plan unit for calculating the required amount of material resources based on this list. The production system receives production-planning information including parts list information from the parts acquisition system. See page 6. The updated structural parts list is provided to the production planning system where it is stored in a data storage unit. In "updating" a structured parts list, Tamaki is teach "adjustment of the parts list storage section".

On pages 11-12, Applicant argues the combination of Tegethoff and Tamaki stating Tegethoff has no relevance to a system such as Tamaki. Examiner disagrees in light of the rejections presented in previous office actions. While,Tamaki does not teach a compatibility prediction information output device configured to survey on predetermined items (i.e. packaging density, arrangement, and operation verification) based on parts information list created by parts information list creating/editing device and to create and output decision information for compatibility prediction based on results from said survey. Tegethoff, however, teaches a method for manufacturing test simulation in electronic circuit design. Tegethoff teaches a test simulator that simulates a manufacturing text of boards and multichip modules from design concept to aid the designer in selecting trade-offs in design. The methods models fault probabilities for the circuit design based on the components. Tegethoff further discloses the Manufacturing Test Simulator (MTSIM) which is a concurrent

engineering simulation tool for manufacturing test, that is, a tool to predict manufacturing test behavior while a product is still being designed. See column 6. MTSIM uses pareto analysis in which a user can evaluate simulation results to determine faults, test coverage, etc. Pareto analysis can be done at three levels of abstraction including individual components, groups of components with the same part number, and groups of components. All part numbers are assigned a category based on level of integration and functionality. See column 11. Furthermore, Tegethoff teaches that he technology of circuit board assembly is evolving to support density demands of many modern circuit designs. Multi-chip modules and twelve-mil pitch surface mount technology (SMT) are frequently used to improve circuit density. SMT chip packages with lead counts of over 1000 are not uncommon. New fabrication processes are used to enable higher circuit densities usually have higher defect rates than older low density fabrication technologies. Tegethoff teaches identifying defects in packaging densities. See columns 1-4. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Tegethoff's prediction concerning operation, simulation, etc in a system of Tamaki's structured parts list because early prediction of manufacturing behavior drives design changes which optimize the product's manufacturability and testability, thus improving product quality and reducing cost and utilizing a parts list would help facilitate this prediction. See column 6 of Tegethoff.
In response to applicant's argument that Tegethoff is of no relevance whatsoever to Tamaki, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Tegethoff's prediction concerning operation, simulation, etc is relevant in a system of Tamaki's structured parts list because early prediction of manufacturing behavior drives design changes which optimize the product's manufacturability and testability, thus improving product quality and reducing cost and utilizing a parts list would help facilitate this prediction. See column 6 of Tegethoff.

In view of comments above, the rejection is maintained..